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10/714,802	11/17/2003	Robert A. Cordery	F-650	2960

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EXAMINER	
PRESTON, JOHN O	

ART UNIT	PAPER NUMBER
3691	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/714,802	CORDERY ET AL.	
	Examiner	Art Unit	
	JOHN O. PRESTON	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 April 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-19 and 21-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-19 and 21-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *November 17, 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-4, 6-19, and 21-28 were presented for examination. Applicant filed an amendment on April 6, 2009. No claims were added. Claims 5 and 20 were canceled. Claim 1 was amended. After careful consideration of applicant's arguments/amendments, the examiner maintains the grounds of rejection for claims 1-4, 6-19, and 21-28. Therefore, the rejection of claims 1-4, 6-19, and 21-28 is a final rejection of the claims.

Response to Arguments

2. In light of Applicant's amendments, Examiner withdraws the rejection of claims 1-4 and 6-14 under 35 USC 101.

3. Applicant argued that Funk did not disclose, teach, or suggest a sort priority number that is based on a delivery location specified by the customer for an account statement associated with the account. Applicant further argued that Funk did not disclose, teach, or suggest sorting checks based on a sort priority number obtained from a database. Examiner respectfully disagrees. It is noted that the Examiner did not rely on Funk, but rather, relied on Borgendale to suggest the limitation of obtaining a sort priority order number for the check from a database, the sort priority order number being based on a delivery location specfied by the customer for an account statement associated with the account. Although Borgendale does not use the term "sort priority order number", Borgendale clearly teaches an alphanumeric string based on a delivery location specified by the customer and generated from a database (Borgendale: col 10, line 46 – col 11, line 25. In the case of Borgendale, the customer is the person sending the mail piece). In Borgendale, a digital image of the addressee's name, street name, street number, and zip code is captured (Borgendale: col 3, lines 55-65). Then, a character recognition operation is performed on the image to identify the delivery location of the mail piece (Borgendale: col 3, lines 60-67). If the operation is successful, the alphanumeric string is combined with a serial number used to identify the mail piece in an electronic mail piece folder and stored in memory (Borgendale: col 4, lines 1-20; Fig. 2). If the operation cannot successfully discern the characters in the digital image,

an operator assist mode is employed, which allows an operator to view the digital image to type in the missing information with the aid of a contextual predictive keying program that accesses an addressee record database and fills in the missing information with minimal input from the operator (Borgendale: col 4, line 60 - col 5, line 30).

Borgendale teaches a method of combining information obtained from a document with information obtained from a database to generate a location-specific identification for the document based on a delivery location specified by the customer. Combining the method of generating a location-specific identification in Borgendale with the sorting method taught by Funk would provide a method of sorting documents (including checks) based on their delivery location. Instead of relying solely on the document identification number disclosed in Funk (Funk: col 3, lines 60-67), the sorting method disclosed in Funk could use the location-specific identification supplied in Borgendale to further sort checks beyond the financial institution level to the individual addresses of the account holders. Therefore, Examiner asserts that it would have been obvious to a person having ordinary skill in the art to combine the check sorting system and method of Funk with the location-specific identification method in Borgendale because Applicant's claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Therefore, Examiner finds Applicant's arguements nonpersuasive.

4. Applicant argued that Cahill does not disclose, teach, or suggest a database storing sort priority order numbers for the plurality of checks, where the sort priority order number for each check is based on a delivery location specified by the respective customer for an account statement associated with the account maintained by the respective customer; a controller obtaining the sort priority number for the check from the database using at least a partion of the information read from the check; and a sorter receiving the check from the scanner and placing the check into one of a plurality of bins based on the sort priority order number obtained from the database. Examiner respectfully disagrees. Cahill clearly discloses "a scanner module to read information from a check" (Cahill: Fig. 3, items 204-206; col 14, lines 1-15; col 14, lines 30-40); "a controller

coupled to the scanner, the controller receiving the information read from the check by the scanner" (Cahill: Fig. 3, item 201); "the controller obtaining the sort priority order number for the check from the database using at least a portion of the information read from the check" (Cahill: Fig. 3, item 201; col 14, lines 5-45); "a sorter coupled to the controller" (Cahill: Fig. 3, item 200; col 14, lines 5-45); "a database coupled to the controller" (Cahill: Fig. 3, item 202; col 14, lines 5-45); the sorter receiving the check from the scanner and placing the check into one of a plurality of bins based on the sort priority order number obtained from the database (Cahill: col 12, lines 50-54; col 18, lines 18-25). In regards to claim 16, Cahill also suggests a controller integral with the sorter (Cahill: col 12, lines 45-55).

Borgendale teaches a system wherein a mailing address is scanned and converted into an alpha numeric string (Borgendale: col 1, lines 24-38). This is analogous to Applicant's limitation of a database storing sort priority order numbers for the plurality of checks, the sort priority number for each check being based on a delivery location specified by the respective customer for an account statement associated with the account maintained by the respective customer. Furthermore, De Leo suggests sorting mail into several outputs (De Leo: col 1, lines 39-50). It would have been obvious to one having ordinary skill in the art to combine the elements cited in Cahill with the elements cited in Borgendale and De Leo because the claimed invention is merely a combination of old elements, and in the combination each element would have performed the same function as it did separately. Therefore, Examiner finds Applicant's arguements nonpersuasive.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole

would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-4, 6, 7, 9, 10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk (6,059,185) and in view of Borgendale (5,734,568).

Claim 1: With regard to the limitations of:

- *reading information from a check of the plurality of checks using a scanner module of the check sorting system, the check being drawn against an account maintained by a customer at a financial institution; providing the information read from the check to a controller of the check sorting system;* Funk, in at least column 3, lines 48-65 and column 4, lines 30-65 discloses a reader that reads checking account information from a check and provides the information read from the check to a controller of the check sorting system.
- *Sorting, using a sorter of the check sorting system, the check into one of a plurality of bins based on the sort order priority number obtained from the database,* Funk, in at least column 1, lines 45-50 discloses checks being

sorted by bank or other designation according to transit and routing information.

- *repeating the reading, obtaining and sorting steps for each of the plurality of checks*, Funk, in at least column 1, lines 10-60 discloses a check processing procedure that involves multiple repetitive steps including reading, obtaining, and sorting.

However, Funk does not disclose the remaining limitations alone. In regard to the following limitation:

- ~~*using at least a portion of the information read from the check*~~, *obtaining, by the controller, a sort priority order number for the check from a database, using at least a portion of the information read from the check, the sort priority order number being based on a delivery location specified by the customer for an account statement associated with the account;*

Funk, in at least column 3, line 60 to column 4, line 7 discloses a document identification number (DIN) located in the DIN database that is automatically generated for each processed check and may be composed of a combination of all or some of the data read from the check. In addition, Borgendale, in at least col. 1, lines 24-38 and col. 2, lines 50-65, teaches a system wherein an alphanumeric string is provided representing the city, state, and/or zip code for the intended destination of the mail piece.

It would have been obvious to one of ordinary skill in the art to combine the check sorting method cited in Funk with the technique as taught by Borgendale because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately.

Claim 2: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *reading a routing number associated with*

the financial institution from the check, Funk, in at least column 3, lines 45-55 discloses a reader that reads routing information on the check.

Claim 3: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *reading a number of the account upon which the check is drawn from the check*, Funk, in at least column 3, lines 50-55 discloses a checking account number being read from a check.

Claim 4: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *reading a check number from the check*, Funk, in at least column 3, lines 50-55 discloses a check number being read from a check.

Claim 6: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *the sort priority order number is further based on a type of account associated with the check*, Funk, in at least column 4, lines 1-10 discloses a document identification number that may be composed of a combination of all or some of the transaction data. Transaction data may include the type of account associated with the check.

Claim 7: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *the sort priority order number is further based on processing for the check specified by the customer*, Funk, in at least column 4, lines 1-10 discloses a document identification number that may be composed of a document sequence number.

Claim 9: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *wherein the sort priority order number is further based on an amount of the check*, Funk, in at least column 4, lines 1-10 discloses a document identification number that may be composed of a combination of all or some of the transaction data. Transaction data may include the amount of the check.

Claim 10: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *wherein the sort priority order number is further based on a payee of the check*, Funk, in at least column 4, lines 1-10 discloses a document identification number that may be composed of a combination of all or some of the transaction data. Transaction data may include a payee of the check.

Claim 13: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. With regard to the limitation of *using at least a portion of the information read from the check as a pointer to obtain the sort priority order number for the check from the database*, Funk further discloses in at least column 3, line 60 to column 4, line 5 a document identification number that may be comprised of information read from the check.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/Borgendale and in view of Behera (5,287,497).

Claim 8: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 7 above. However, Funk/Borgendale does not explicitly disclose the remaining limitation(s). With regard to the limitation of *wherein processing for the check includes whether or not the check will be included with the account statement associated with the account*, Behera, in at least col. 2, lines 7-15, teaches a system wherein check images are printed on the statement. It would have been obvious to one of ordinary skill in the art to combine the check sorting method cited in Funk/Borgendale with the technique as taught by Behera because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/Borgendale as applied to claim 1 above, and further in view of Holm (3,949,363).

Claim 11: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. Funk/Borgendale does not explicitly disclose the following limitations, but Holm, as shown, does:

- *placing the plurality of checks in a feeder* (See at least Holm: column 2, lines 53-55: a document feeder where checks are placed).
- *separating the check from the plurality of checks* (See at least Holm: column 2, lines 55-63: checks are moved serially in an uninterrupted line).
- *scanning the check to read the information* (See at least Holm: column 2, lines 55-58: checks are moved through a read module).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Funk/Borgendale with the scanning technique of Holm because it greatly reduces the error rate and increases the efficiency involved with reading information from checks when they are placed in a feeder and scanned individually (See at least Holm: column 1, line 54 – column 2, line 25).

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/Borgendale as applied to claim 1 above, and further in view of Cahill (6,574,377).

Claim 12: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. Funk/Borgendale does not explicitly disclose the limitation of *placing the check in an appropriate bin based on the sort order priority number*. However, Cahill, in at least Column 14, Lines 8-11, discloses checks being sorted based on information read from the check and deposited into pockets. It would have been

obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Funk/Borgendale with the sort technique of Cahill because it creates a more efficient method of handling the checks (See at least Cahill: column 5, lines 4-13).

10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Funk/Borgendale as applied to claim 1 above, and further in view of Green (5,602,936).

Claim 14: Funk/Borgendale discloses the limitations as shown in the rejection of Claim 1 above. Funk/Borgendale does not explicitly disclose the limitation of *wherein the plurality of checks include separators.* However, Green, in at least Column 10, Lines 43-60, discloses the use of separators with sorted checks. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the sorting method of Funk/Borgendale with the use of separators by Green because the use of separators makes the sorting process cheaper and more efficient (See at least Green: column 1, line 53 – column 2, line 20).

11. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill et al (6,574,377), and in view of Borgendale and further in view of De Leo (US 6,576,857 B1).

Claim 15: With regard to the limitations of:

- *a scanner module to read information from a check,* (see Cahill, Fig. 3, Items 204, 205, and 206).
- *a controller coupled to the scanner, the controller receiving the information read from the check by the scanner,* (see Cahill, Fig. 3, Item 201)

- *the controller obtaining the sort priority order number for the check from the database using at least a portion of the information read from the check,* (see Cahill, Fig. 3, Item 201).
- *a sorter coupled to the controller* (see Cahill Fig. 3, Item 200),
- *the sorter receiving the check from the scanner and placing the check into one of a plurality of bins based on the sort order priority number obtained from the database,* Cahill, in at least column 12, lines 50-54 discloses a sorter that sorts checks to one of a plurality of pockets. Cahill, in at least column 18, lines18-25, further discloses checks being sorted by the sorter based on the information read from the check.

However, Cahill does not explicitly disclose the remaining limitations alone. In regard to the following limitation:

- *a database coupled to the controller, the database storing sort priority order numbers for the plurality of checks, the sort priority order number for each check being based on a delivery location specified by the respective customer for an account statement associated with the account maintained by the respective customer*

Cahill, in Fig. 3, Item 202, discloses a database coupled to a controller, the database storing data pertaining to a plurality of checks. In addition, Borgendale, in at least column 1 lines 24-38, teaches a system wherein a mailing address is scanned and converting into an alphanumeric string. It would have been obvious to one of ordinary skill in the art to combine the system cited in Cahill with the mailing technique as taught by Borgendale because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately. Also, see at least De Leo, col. 1, lines 39-50, wherein De Leo teaches a system that performs a series of sort cycles based on criteria provided by the user. It would

have been obvious to one of ordinary skill in the art to combine the system cited in Cahill with the sorting technique as taught by De Leo because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately.

Claim 16: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. With regard to the limitation of *wherein the controller is integral with the sorter*, Cahill, in at least column 12, lines 45-55, further discloses a sort station that includes a sorting machine and a controller.

12. Claims 17-22, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Borgendale/De Leo as applied to claim 15 above, and further in view of Funk.

Claim 17: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the information read from the check includes a routing number.* However, Funk, in at least Column 3, Lines 50-55, discloses routing information being read from a check. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the use of routing information by Funk because using routing information found on a check is an efficient and cost-effective means of processing checks (See at least Funk: column 2, lines 24-35).

Claim 18: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the information read from the check includes an account number.* However, Funk, in at least Column 3, Lines 50-56, discloses a checking account number being read from a check. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Cahill/Borgendale/De Leo with the technique of Funk because using checking

account numbers to process checks is an efficient method for tracking checks (See at least Funk: column 2, lines 24-35).

Claim 19: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the information read from the check includes a check number*. However, Funk, in at least Column 1, Lines 40-50, discloses a check number being included as the information read from a check. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the use of check numbers by Funk because the use of check numbers to process checks is an efficient method for tracking checks (See at least Funk: column 2, lines 24-35).

Claim 21: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the sort order priority number is based on a type of account associated with the check*. However, Funk, in at least Column 3, Lines 65-67 and Column 4, Lines 1-7 discloses a document identification number that may be composed of a combination of all or some of the transaction data. The type of account associated with a check qualifies as transaction data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the classification technique of Funk because classifying checks based on the type of account associated with the check improves the utility and efficiency of the accounting process (See at least Funk: column 2, lines 24-35).

Claim 22: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the sort order priority number is based on processing of the check*. However, Funk, in at least Column 3, Lines 60-67 and Column 4, Lines 1-7

discloses a document identification number that may be based on a document sequence number. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the classification technique of Funk because using a classification system that is based on the processing of the check itself is an efficient method for tracking checks (See at least Funk: column 2, lines 24-35).

Claim 24: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the sort order priority number is based on an amount of the check*. However, Funk, in at least Column 3, Lines 58-76 and Column 4, Lines 1-10, discloses a document identification number that may be composed of a combination of all or some of the transaction data. The amount of a check qualifies as transaction data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the classification technique of Funk because processing checks based on the check amount is an efficient method for tracking checks (See at least Funk: column 2, lines 24-35).

Claim 25: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the sort order priority number is based on a payee of the check*. However, Funk, in at least Column 3, Lines 63-67 and Column 4, Lines 1-7 discloses a document identification number that may be composed of a combination of all or some of the transaction data. The payee of the check qualifies as transaction data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the classification technique of Funk because

using the payee of the check as a descriptive identifier for each processed check adds utility and efficiency to the accounting process (See at least Funk: column 2, lines 24-35).

13. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Borgendale/De Leo/Funk as applied to claim 22 above, and further in view of Funk.

Claim 23: Cahill/Borgendale/De Leo/Funk discloses the limitations as shown in the rejection of Claim 22 above. Funk further discloses the limitation of *wherein processing of the check includes whether or not the check will be included with a statement associated with the check.* Funk, in at least Column 4, Lines 58-62, discloses the process of sorting checks to be submitted with a statement. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of Cahill/Borgendale/De Leo with the processing technique of Funk because processing a check based on its submission with an associated statement is an efficient method of ensuring the accuracy of the accounting process (See at least Funk: column 2, lines 24-35).

14. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Borgendale/De Leo as applied to claim 15 above, and further in view of Haas (4,088,982).

Claim 26: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *a feeder module coupled to the scanner module, the feeder module receiving the plurality of checks and feeding the plurality of checks seriatim to the scanner module*. However, Haas (Column 3, Lines 35-36) discloses "A feeder holds a stack of checks and feeds them serially to an error-indicating character reader…". It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the check sorting method of

Cahill/Borgendale/De Leo with the input technique of Haas because incorporating a feeder helps to automate the check sorting process and make it more efficient (See at least De Leo: column 2, lines 30-35).

15. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill/Borgendale/De Leo as applied to claim 15 above, and further in view of Milford (4,315,246).

Claim 27: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the scanner module is a magnetic ink character recognition scanner*. However, Milford (Column 1, Lines 7-15) discloses a character recognition system that employs magnetic ink character recognition. It would have been obvious to one of ordinary skill in the art to combine the check sorting method cited in Cahill/Borgendale/De Leo with the character recognition technique as taught by Milford because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately.

Claim 28: Cahill/Borgendale/De Leo discloses the limitations as shown in the rejection of Claim 15 above. Cahill/Borgendale/De Leo does not disclose the limitation of *wherein the scanner module is an optical character recognition scanner*. However, Milford (Column 1, Lines 7-15) discloses a character recognition system that employs optical character recognition. It would have been obvious to one of ordinary skill in the art to combine the check sorting method cited in Cahill/Borgendale/De Leo with the character recognition technique as taught by Milford because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event of a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **John Preston** whose telephone number is **571.270.3918.** The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **ALEXANDER KALINOWSKI** can be reached at **571.272.6771**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

or faxed to **571-273-8300**

Hand delivered responses should be brought to:

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/John O Preston/
Examiner, Art Unit 3691
August 26, 2009
/Alexander Kalinowski/
Supervisory Patent Examiner, Art Unit 3691